

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ESTATE OF ESTHER KLIEMAN, et al.,)
)
Plaintiffs,)
)
vs.) Civil Action
) No. 04-1173 (PLF/JMF)
THE PALESTINIAN AUTHORITY;)
et al.,)
)
Defendants.)
_____)

30(b)(6) DEPOSITION OF MAJED FARAJ

JERUSALEM, ISRAEL

AUGUST 8, 2010

REPORTED BY: BRENDA MATZOV, CA CSR NO. 9243

AUGUST 8, 2010 - MAJED FARAJ

1 Q. Thank you, General.

2 As it relates to both or either Zafer Rimawi
3 or William Hatib, do you have any recollection on behalf
4 of the Palestinian Authority that either one was ever
5 employed in the security services or any aspect of
6 security for the Palestinian Authority?

7 A. I don't know.

8 Q. On behalf of the Palestinian Authority, who
9 would be a better person to ask than you as to whether
10 or not these two persons were ever employed by the
11 Palestinian Preventive Security Services and/or
12 Force 17?

13 MR. O'TOOLE: Objection to the extent that
14 this is outside the scope of his designation. These
15 names are mentioned in the Supplemental Notice we
16 received. And there will be a designee tomorrow that
17 will be prepared to talk about these issues.

18 But to the extent the General can answer the
19 question, he may answer the question.

20 MR. HEIDEMAN: Thank you.

21 THE WITNESS: What's the point of linking
22 these names to the whole case?

23 Q. BY MR. HEIDEMAN: I'll answer.

24 A. It's usual, it's normal to have someone in
25 an apparatus, in a service, and commit mistakes. Yes.

1 It might be the Force 17, the Preventive Security. In
2 any service -- and even in the Palestinian Authority,
3 working in the Palestinian Authority -- he can commit
4 and he might commit mistakes. So do I understand that,
5 if someone commits a mistake, that all the Palestinian
6 Authority is committing the mistake?

7 For sure, mistakes happen by individuals.
8 But this will never be the policy or the position of
9 the Palestinian Authority. And I'm really surprised
10 that, if a person or two or three out of 2,000 and
11 3,000, if these two or three commit mistakes, that
12 the whole Palestinian Authority would be committing
13 the mistake. There isn't in history where you put to
14 trial armies because of the mistakes of one soldier here
15 or there. Armies or security forces include individuals
16 who commit mistakes. This happens.

17 And if we take this, can we say that the
18 Israeli soldiers, individual soldiers, who are taken
19 to court because of certain mistakes, do we assume that
20 the whole Israeli Army is put to trial or is committing
21 the mistake or the Israeli government is committing
22 the mistake? We hear a lot about mistakes of Israeli
23 soldiers. And, in many cases, they are accused of
24 unjustified killing of people. But we have never
25 heard that the Israeli Army is put to trial. Even

1 in the recent cases, especially Freedom Flotilla and
2 the recent incidents that happened, they talk about
3 individual conduct, about measures by individuals.

4 Because we have to understand one thing.
5 These security services and forces and the Palestinian
6 Authority, if we want to treat it as committing the
7 mistake, this is a big difference here. Why? Because
8 we know that this Palestinian Authority, these security
9 services stopped and prevented many operations. So we
10 must not let an individual mistake by an individual lead
11 to the trial of a whole institution and the whole system
12 based on the assumption that this mistake happened and
13 even under all the difficult conditions that we faced.

14 And if this is the case, I can have an
15 attorney. The Israeli Army killed my father in 2002,
16 April 10th, 2002. And they shot him with 45 bullets.
17 I didn't say then that the whole Israeli Army is
18 a murderer. So if we are looking for mistakes of
19 individuals in order to try a whole system and the
20 whole Palestinian Authority, I believe this is not fair.
21 There is no justice in this.

22 I'm not defending here those who committed
23 the mistakes. And those who commit mistakes must be
24 punished. I'm also defending here the absolute majority
25 of the people who are protecting the Peace Project. And

1 these people working in these services, these prevented
2 terrorism, prevented operations. They prevented this
3 trend. They prevented extremism.

4 If someone commits a mistake here or there,
5 you cannot put to trial a whole entire institution. You
6 can take the whole institution to trial if the 18,000 or
7 17,000 members in those services carried their weapons
8 and shot towards Israel. Then you can take them to
9 trial. Or even if they fought against the Israeli
10 Army when the Israeli Army entered the Palestinian
11 Territories. So there was no decision to open fire
12 at the Israelis or to clash with the Israeli Army.

13 And, of course, the other thing is that
14 there are Palestinian elements who work on behalf
15 of others who have agendas against the Palestinian
16 Authority. And they can use any disguise, any name,
17 any title. And for political reasons, they can give
18 out any statement in the media and press, especially
19 that politicians have become like actors. All of them
20 are on TV, not only here, but everywhere.

21 Therefore, we are clear. Those who commit
22 mistakes must be punished. But these services and this
23 Authority prevented hundreds of operations against
24 Israel. And you should not look at it like, if someone
25 commits a mistake, the whole system is a criminal here.

1 And, under different conditions, I would be
2 sitting in his place, because the same as his relative
3 was killed, with all the pain that I feel and sympathy
4 that I feel towards him, I also suffered the killing of
5 someone dear to me. And if his relative was killed by
6 a thug in the street, my relative was killed by the
7 Army, which means the government killed him. The same
8 government, the same Army that I meet with in order to
9 prevent terrorism and extremism, because I know that
10 mistakes happen. And there is no decision to open fire
11 by all the Palestinian people.

12 So there are victims. Like the Esther Klieman
13 case that we are discussing, we have also victims. But
14 the difference here is that we put to trial all these
15 people when we can within our capabilities. That is why
16 I'm talking about justice here.

17 And you might find in your files and records
18 here four, five, six names, additional names. But we
19 have, like, 17,000 or even 18,000 who work in the
20 Palestinian Authority security services. Rimawi,
21 maybe he might have worked six months in the security
22 services. But we have people who started since 1994
23 until now. And if Rimawi did this and opened fire, I
24 don't know. These are Israeli documents. So I don't
25 know. But if this happened, there are on the other side

1 thousands who prevented operations against Israel and
2 who still work to prevent operations against Israel.

3 The same applies in the Force 17 and in the
4 Preventive security, in the General Intelligence, in
5 all the security services. Anyone who commits a mistake
6 must be punished. But there is no law in the world
7 that says that we must punish an entire people for the
8 mistake of an individual.

9 Q. General, first of all, let me express to you
10 my condolences on the death of your father.

11 A. (In English.) Thank you.

12 Q. Would you like a recess before we continue?

13 A. No. We can continue.

14 Q. Thank you.

15 You asked me, in your last answer, a number
16 of points, one of which was a question. And that
17 relates to the connection of these two names -- and
18 I'm paraphrasing -- the connection of Zafer Rimawi and
19 William Hatib to Tamer Rimawi or to the Klieman case.

20 And just on that one point, without commenting
21 on any of the other points you made, let me ask you:
22 Are you aware that Zafer Rimawi, who we allege to be
23 a Force 17 member and Palestinian Preventive Services
24 member, recruited Tamer Rimawi into the Al-Aqsa Martyrs
25 Brigade?